



Reference No: 14/3/1/1/A6/36/0535/21

Mr Ian Raubenheimer
Oakhurst Lifestyle Estate (PTY) Ltd
Postnet Suite 33
Private Bag X31
KNYSNA
6570

Email: ianraubenheimer@gmail.com

Dear Mr Raubenheimer

APPLICATION FOR THE AMENDMENT OF THE APPEAL ENVIRONMENTAL AUTHORISATION GRANTED FOR THE PROPOSED RESIDENTIAL DEVELOPMENT ON A PORTION OF ERF NO. 8343 AND REMAINDER OF ERF NO. 2224, HOUT BAY

1. With reference to your Amendment Application dated 27 July 2021 submitted for the amendment of the Appeal Environmental Authorisation ("EA") issued on 19 September 2016, find below the Amended Appeal EA in respect of the Amendment Application.
2. **EMPOWERING PROVISIONS IN TERMS OF THE APPLICABLE LEGISLATION:**
Sub-Regulation 27(1) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") Environmental Impact Assessment ("EIA") Regulations, 2014 (Government Notice No. R. 982 of 4 December 2014) states that "The competent authority that issued an environmental authorisation has jurisdiction in all matters pertaining to the amendment of that environmental authorisation as long as the environmental authorisation is still valid, provided that the competent authority that issued such environmental authorisation still has jurisdiction in terms of the Act."
3. **DECISION:**
By virtue of the powers conferred on me by the NEMA and EIA Regulations, 2014 (Government Notice No. R. 982 of 4 December 2014), I amend the Appeal EA as follows:
 - 3.1. **Change of ownership or transfer of rights and obligations:**
The holder of the Appeal EA has changed and the rights and obligations are transferred to the following person:
*"Oakhurst Lifestyle Estate (PTY) Ltd
c/o Mr Ian Raubenheimer
Postnet Suite 33
Private Bag X31
KNYSNA
6570
Cell: 082 900 3636
Email: ianraubenheimer@gmail.com"*

3.2. Section E: Conditions of Authorisation

Condition E1:

"This environmental authorisation is valid for a period of five years from the date of this Amended Appeal decision. The holder of this Amended Appeal Decision must commence with all the listed activities within the said period or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority."

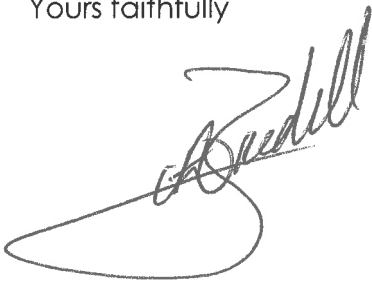
4. REASONS FOR THE DECISION:

Find below the reasons for the amendment of the Appeal EA:

- 4.1. The proposed amendment is in terms of Part 1 of the 2014 EIA Regulations and will not change the scope of the valid EA nor increase the level or nature of the impact, which was initially assessed and considered when an application was made for the original authorisation.
- 4.2. The registered owners of Erf No. 2224 and the holder of the EA issued for the proposed residential development have sold the development rights to Oakhurst Lifestyle Estate (PTY) Ltd, and the transfer of rights and obligations of the Appeal EA to Oakhurst Lifestyle Estate (PTY) Ltd is required. The registered owners and the holder of the EA of remainder Erf No. 2224, Hout Bay request that the rights and obligations of the Appeal EA be transferred to Oakhurst Lifestyle Estate Proprietary Limited (Registration Number 2005/023237/07).
- 4.3. The activities have not been commenced with on the site. The Appeal EA was issued on 19 September 2016, is valid for a period of five (5) years and will expire on the 19 September 2021.
- 4.4. A Part 1 EA Amendment Application is therefore required to change the details of the license holder and extend the validity of the EA by five (5) years.
- 4.5. No new activities are triggered by the proposed amendments in terms of the EIA Regulations, 2014 (Government Notices No. R. 983, R. 984 and R. 985 of 4 December) promulgated in terms of the NEMA.

Your interest in the future of our environment is appreciated.

Yours faithfully



ANTON BREDELL
PROVINCIAL MINISTER OF LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE: 21/10/2021
Copied to:

1. Mr Eugene Marais, Ms Chantel Muller and Mr Anthony Mader (Sillito Environmental Consulting)

Email: eugene@environmentalconsultants.co.za

Email: chantel@environmentalconsultants.co.za

Email: Anthony@environmentalconsultants.co.za

Email: Sandra.Hustwick@capetown.gov.za

2. Ms Sandra Hustwick (City of Cape Town)